

ASSEMBLY TO RETURN MONDAY TO WORK ON “MEGAN’S LAW”

Assembly Speaker [Herb Wesson](#) (D-Los Angeles) has announced that he is convening an Assembly floor session next Monday, September 29, to “reconsider the vote and consider for passage, [AB 1313 \(Parra\)](#) relative to ‘Megan’s Law’” requiring the Department of Justice to create and maintain a database of registered sex offenders. The law is scheduled to expire at the end of this year, unless extended by the Legislature.

AB 1313, an urgency measure containing several unrelated provisions, failed to gain the necessary 54 votes needed for Assembly passage on the final night of session. The bill passed the Senate unanimously (37-0), but Assembly Republicans, angry over what they felt was the Senate’s betrayal on an unrelated budget issue (see [last week’s “Sacramento Scene”](#)), withheld their votes on concurrence in Senate amendments.

Because the current session is being reconvened, rather than the Governor calling a special session, the Assembly can take up any other items still on its file. It is not restricted to action on either AB 1313 or “Megan’s Law” issues.

Those same Assembly Republicans, however, have suggested that quick passage of the bill is not a certainty. Their leadership has attacked California’s version of “Megan’s Law” as a shadow of the law in other states, which among other things requires the posting of the database on the internet.

On the other hand, the Assembly cannot do anything other than approve AB 1313 without further action by the state Senate, and Senate President pro Tem [John Burton](#) (D- San Francisco) has said he has no intention of reconvening that house prior to January 2004.

BALLOT “INITIATIVES” – AND NOT

Many news stories – and even some court decisions – refer to Propositions 53 and 54 which will be on the [October 7 ballot](#) along with the proposed recall of Governor Davis and the possible election of a successor (depending upon whether or not the recall is successful) as “initiatives.” This is only half right.

[Proposition 54](#), the controversial so-called “Racial Privacy Initiative” which would prohibit state and local governments from using race, ethnicity, color, or national origin to classify current or prospective

students, contractors or employees in public education, contracting, or employment operations, is indeed an initiative measure, placed on the ballot by the circulation of petitions and gathering of signatures.

However, [Proposition 53](#), which proposes to dedicate a specified amount of the state’s General Fund to pay-as-you-go capital outlay projects relating to the state’s infrastructure, is actually a proposed constitutional amendment placed on the ballot by the Legislature (see [SCA 11 of 2002](#)) on votes of 29-1 in the Senate and 74-3 in the Assembly.

COUNTY LAW LIBRARIES

Governor Davis last week signed into law [AB 1095 \(Corbett\)](#), a Bar-supported measure that requires the Judicial Council to establish a task force on county law libraries. The task force has the responsibility to identify the needs related to county law library operations and facilities, and to develop and make recommendations for funding county law library operations, facility improvements, and expansion.

The nine-member task force will consist of three representatives from the judicial branch, appointed by the Administrative Director of the Courts; three representatives from county government, appointed by the California State Association of Counties; and three representatives from county law libraries, appointed by the Council of California County Law Librarians.

DEADLINES UPCOMING

- [September 29 \(Monday\)](#) – Assembly reconvenes in Floor Session called by the Speaker.
- [October 7 \(Tuesday\)](#) – Scheduled special election on recall of Governor and, if recall is approved, election of a successor. Two additional measures (one initiative, one proposed by Legislature) also on ballot.
- [October 12 \(Sunday\)](#) – Last day for Governor to sign or veto bills.
- [January 5, 2004 \(Monday\)](#) – Legislature reconvenes.
- [January 31, 2004 \(Saturday\)](#) – All bills introduced during first year (2003) of the 2003-04 Legislative Session must pass their house of origin or die by operation of the California constitution.